

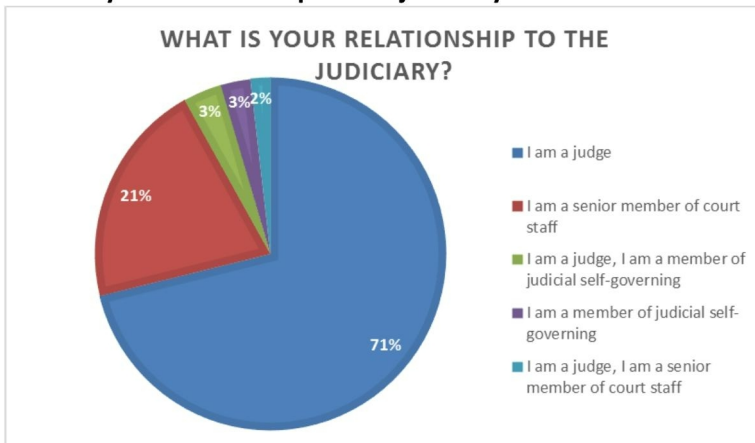
**RESULTS OF IMPLEMENTING THE CEPEJ QUESTIONNAIRES:
“Ensuring the Quality of Justice in the Courts of the Slovak Republic”**

Questionnaire “Ensuring the Quality of Justice in the Courts of the Slovak Republic”

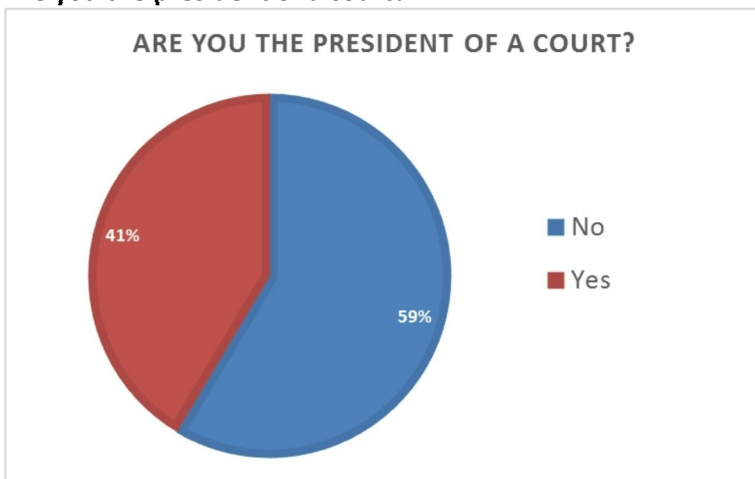
Out of 200 persons invited, 111 judicial officials (presidents of courts, judges, and senior members of court staff in charge with managerial functions) answered the “quality” questionnaire

General questions

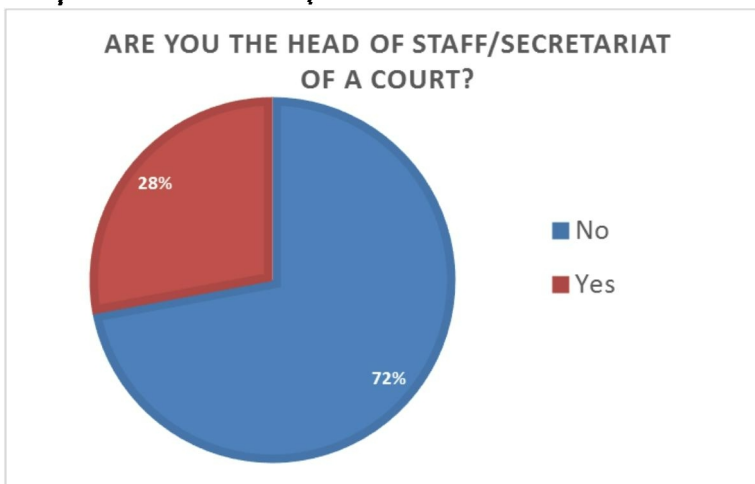
What is your relationship to the judiciary?



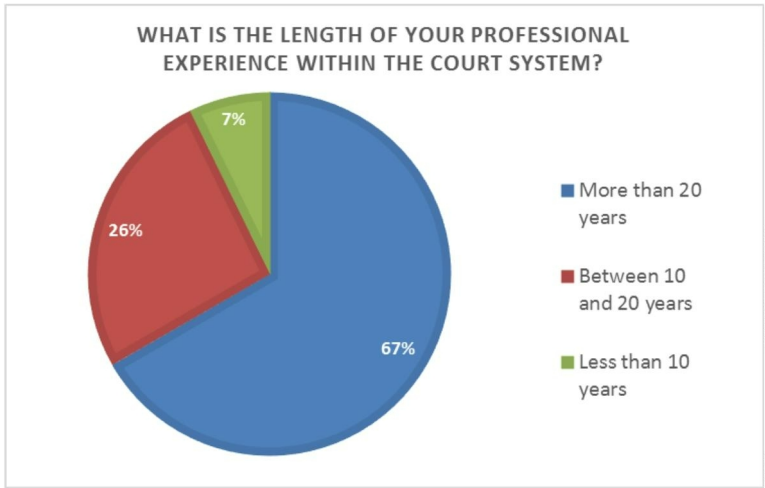
Are you the president of a court?



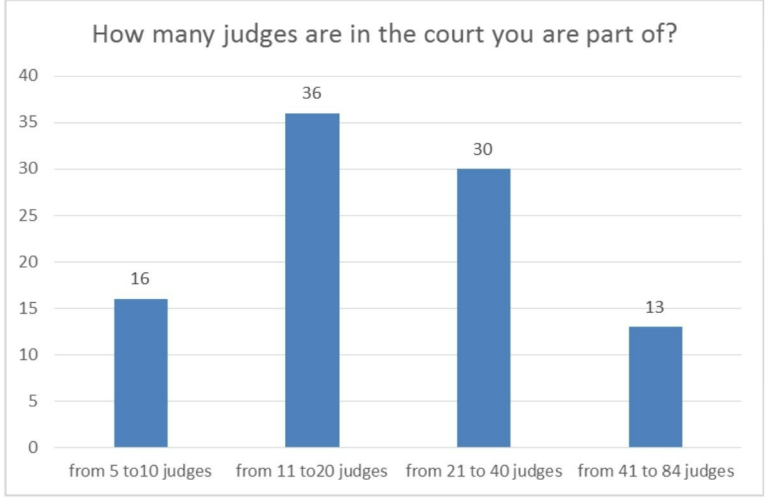
Are you the head of staff/secretariat of a court?



What is the length of your professional experience within the court system?

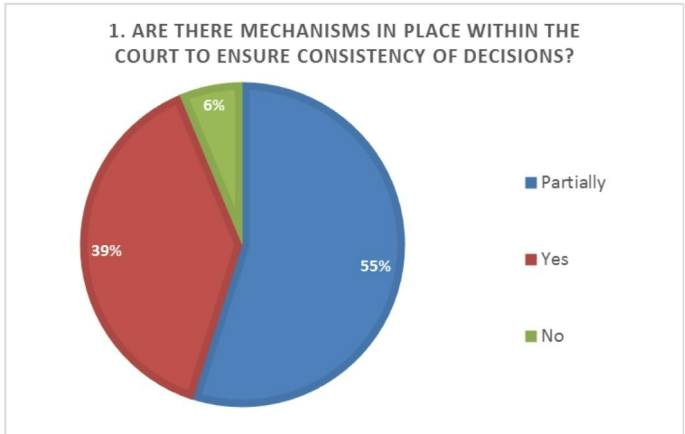


How many judges are in the court you are part of?



Fairness. Legal certainty. Clarity of judicial decisions.

1. Are there mechanisms in place within the court to ensure consistency of decisions?

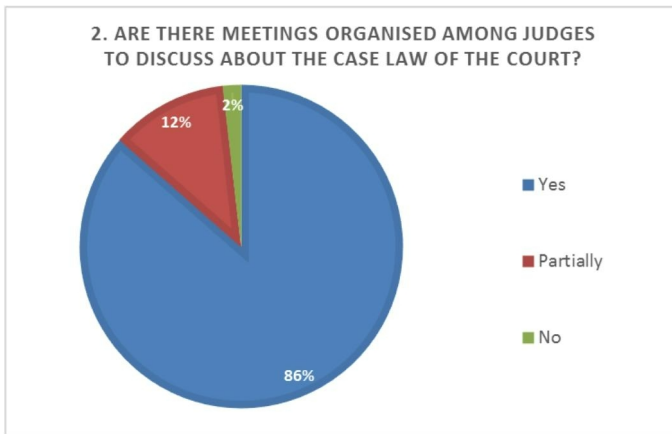


Comments:

- in district courts, there are panels - civil, criminal, or others, e.g. commercial,
- in regional courts are boards- civil, criminal, commercial and administrative
- the Chairmen of the Panels and Boards invite members at least 4 times a year and are trying to unify the decision-making process of judges

- in the Supreme Court of the Slovak Republic, panels are established - civil, criminal, commercial and administrative, they perform unification activities
- panels and colleges are set up under Act 757/2004

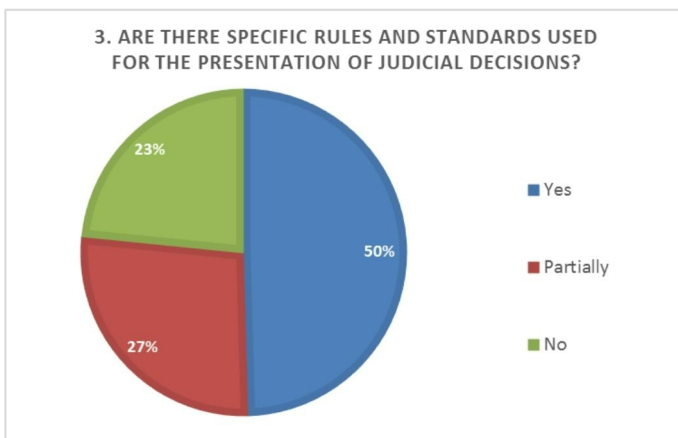
2. Are there meetings organised among judges to discuss about the case law of the court?



Comments:

- at meetings of panels and colleges
- at least once a year the regional court organizes a joint meeting of the board of regional court together with the members of the panels of relevant district courts having seat in the jurisdiction of that regional court
- the Judicial academy organizes training on current case law also with the participation of judges of the Supreme Court of the Slovak Republic

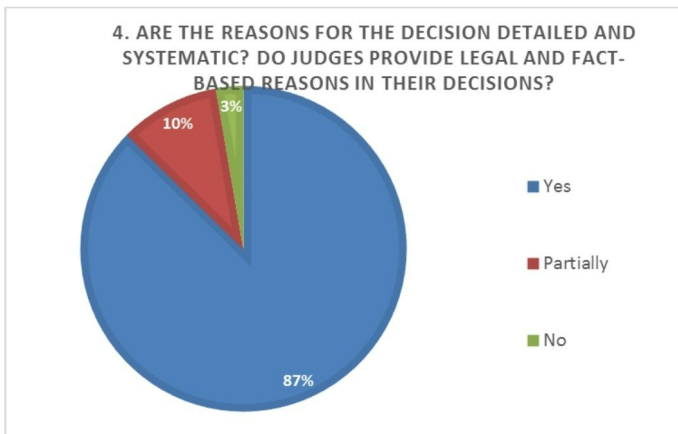
3. Are there specific rules and standards used for the presentation of judicial decisions?



Comments:

- it is precisely determined which categories of decision can be published, court decisions are published on the Ministry's website after securing anonymization of personal data
- they are also published in the form of the Collection of Opinions of the Supreme Court of the Slovak Republic and the decision of courts of the Slovak Republic.

4. Are the reasons for the decision detailed and systematic? Do judges provide legal and fact-based reasons in their decisions?



Comments:

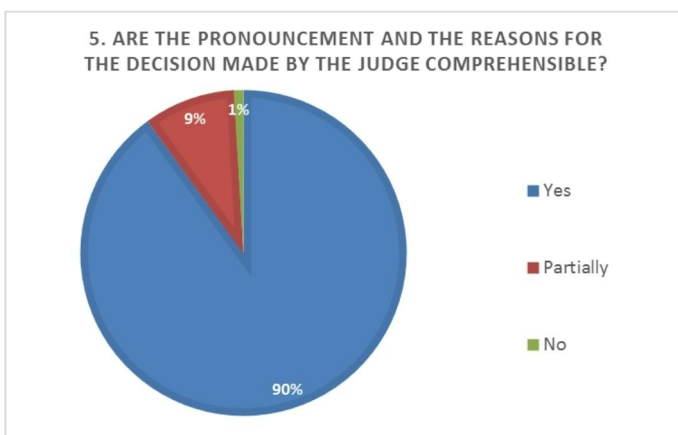
- it is a legal requirement contained in procedural codes (Civil Dispute Settlement, Administrative Court Order, Criminal Procedure Code).

- any judicial decision contains legal and factual reasons; in the case of shortened judgements, the law does not require the justification

- the reasoning depends on the professional qualities of the judge, the vast majority of the decision is, in the opinion of the respondent descriptive, where the course of the proceedings is described in great detail, it quotes from the minutes, while abstraction of facts is absent. The very connection between the factual and legal situation is often absent.

- judgements text creation in the Slovak Republic does not have a clear standard, texts are hypertrophic; often veer off from material solutions to various formal elements.

5. Are the pronouncement and the reasons for the decision made by the judge comprehensible?



Comments:

- in most of the cases yes, depending on the court and the quality of the judge, in the opinion of the respondent, the higher the court, the less comprehensible the judgement is.

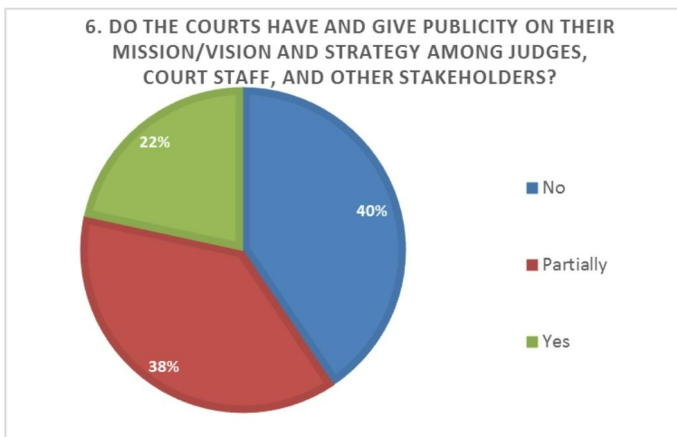
- yes, but only verdicts, whereas the very connection between the factual and legal situation is often absent.

- it is important that the decision is also comprehensible to the lay person, but if the decision has to succeed in possible appeal, it is often impossible to avoid legal formulations and constructions that are

more difficult to understand, since the lack of reasons or incomprehensibility are the grounds for annulment of the court decision in the appeal proceedings or in cassation complaint proceedings

Publicity and transparency

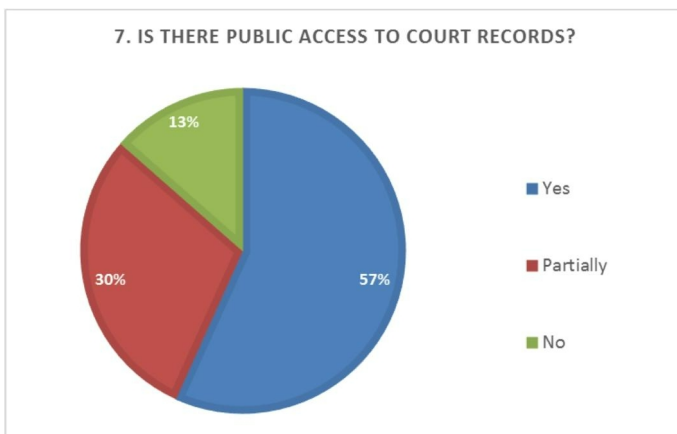
6. Do the courts have and give publicity on their mission/vision and strategy among judges, court staff, and other stakeholders?



Comments:

- given the constant overload of the judicial system, the priority is to keep up with the increased and challenging caseload and mostly trying to respond to the actual development of the situation
- the question is not clear enough but, in the case of court decisions, these are in accordance with the law disclosed to the general public, as long as this issue concerns the management of the court in relation to the judges and the employees, it is not clear what the stakeholders are
- the vision and strategy of the court's activity is expressed by the content of the work schedule, which is published on the web and is discussed with judges and employees

7. Is there public access to court records?



Comments:

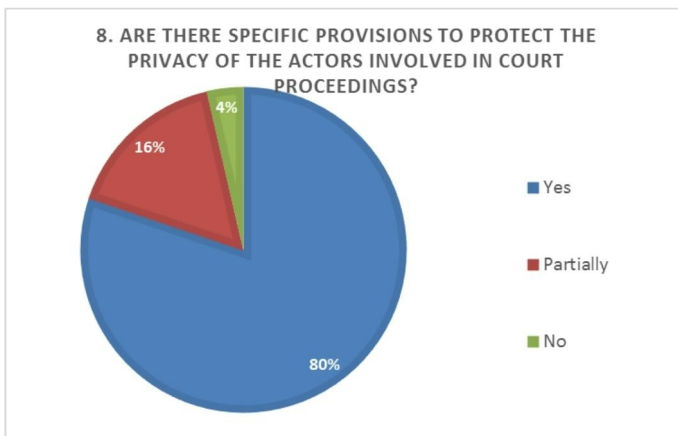
- only the dates of the hearings and the anonymized court decisions are published on the website of the Ministry of Justice of the Slovak Republic, other records (e.g. minutes of the hearing) are not accessible to the public

- court documents are accessible only to the participants and their representatives, other persons than the parties to the proceedings have access only to the limited extent - Section 97(2) of the Civil Procedure Code, Section 81(2) of the Administrative Judicial Code

- each court hearing is essentially public, it is recorded, the recordings are stored and available to parties of the dispute.

- the public has access to court proceedings under the Act on Information (all judicial decisions, including non-binding decisions and decisions which are not decisions in the matter are made available to the public by court at the request according to a special law. The courts take measures to protect the rights and interests protected by law)

8. Are there specific provisions to protect the privacy of the actors involved in court proceedings?



Comments:

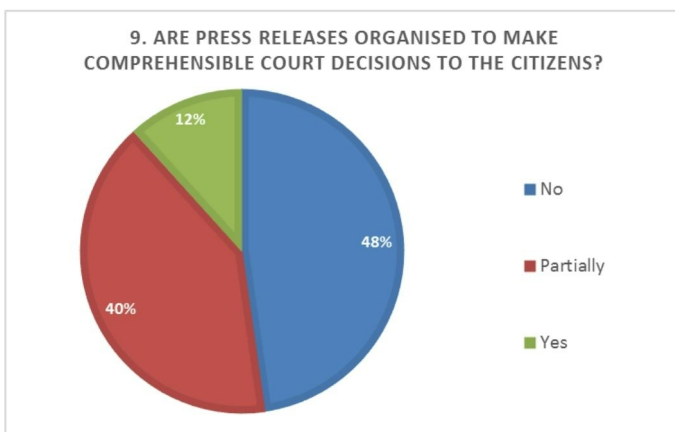
- in the case of minors, in criminal proceedings in the case of a protected witness

- the anonymization of published decisions, the possibility to exclude the public from the courtroom if the protection of the interests of the parties requires so, the limitation of the possibility of consulting the case file for persons who do not establish a legitimate interest

- the hearings are public, the conditions for the exclusion of the public are regulated by procedural rules, the protection of personal data is based on the Act on the Protection of Personal Data

- despite existing anonymization in the disclosure of court decisions, it is easy to identify the parties, including their sensitive information.

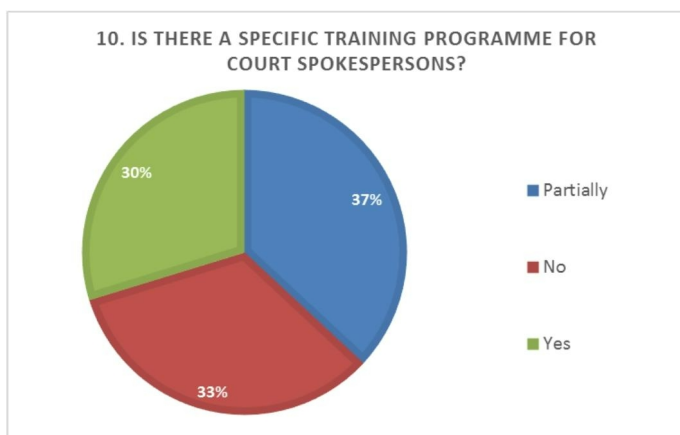
9. Are press releases organised to make comprehensible court decisions to the citizens?



Comments:

- in some cases, the Constitutional Court of the Slovak Republic provides supplementary information
- at the request of the media for specific proceedings through the speaker established at each regional court, individual district courts do not have the speaker
- it is needed to much more improve communication with the media and the way in which judgements are presented, whether by judges or presidents of the courts

10. Is there a specific training programme for court spokespersons?

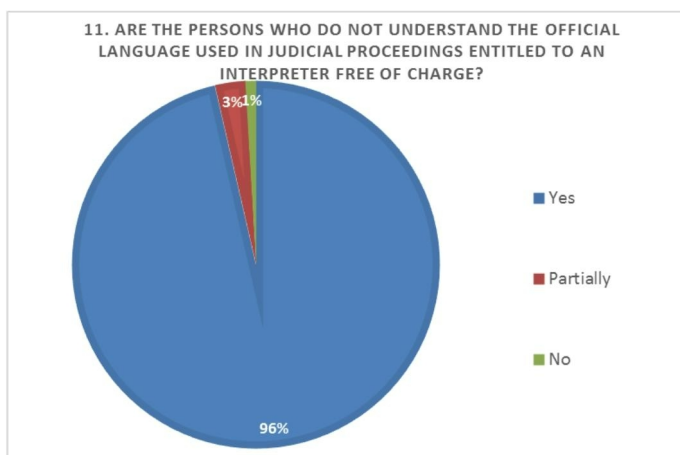


Comments:

- probably yes, I cannot say, I do not have the information about the speaker's education, but there should be

Transparency. Legal assistance. Legal aid.

11. Are the persons who do not understand the official language used in judicial proceedings entitled to an interpreter free of charge?

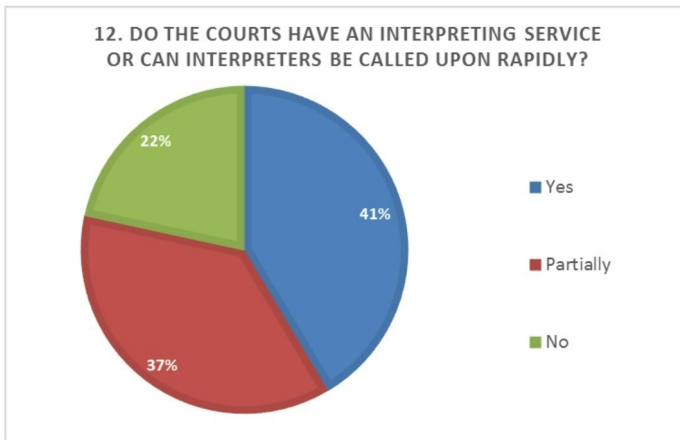


Comments:

- this right is guaranteed by the Constitution as well as by specific procedural codes, the possibility of free translation has also been extended to written submissions lately
- in full, both civil and criminal proceedings

- the cost of these payments to translators and interpreters is borne by the state

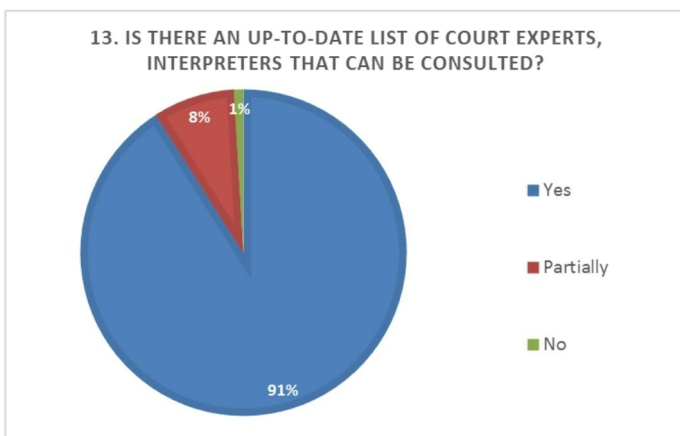
12. Do the courts have an interpreting service or can interpreters be called upon rapidly?



Comments:

- this situation is truly exceptional, I used an interpreter probably twice during 10 years of judging.
- depending on the language, interpreter's availability, for some languages there are few interpreters, and sometimes it is difficult for the court to provide an interpreter who has his seat remote from the court e.g. about 400 km (Prešov-Bratislava)
- it is unrealistic in a small district town
- a resolution must be made to engage an interpreter, it is necessary to agree in advance via telephone on his / her presence (with the interpreter concerned), depending on the interpreter and the judge
- it is based on the lists of registered court interpreters kept by the Ministry of Justice of the Slovak Republic available on the Internet, if the procedural regulation so permits, interpreting may also be provided by the judge conducting the hearing
- there is no service available to which I call: please, send me an interpreter within 5 hours, but usually the competent judge cooperates based on a free decision with several interpreters
- we do not notice major problems with the summons and attendance of interpreters at the hearings.

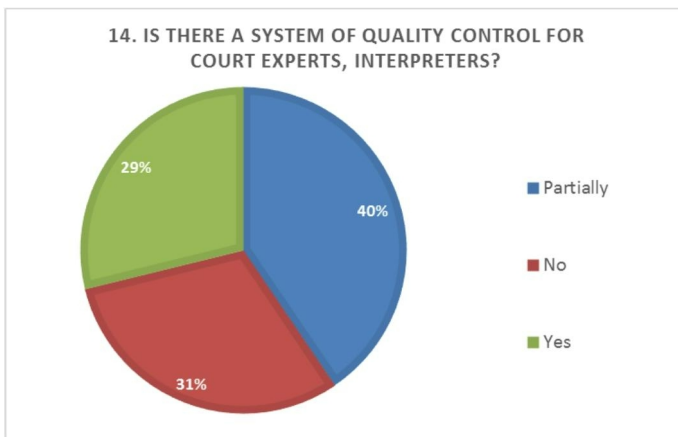
13. Is there an up-to-date list of court experts, interpreters that can be consulted?



Comments:

- there is a list of court experts, interpreters led by the Ministry of Justice of the Slovak Republic and published on the website of the Ministry of Justice of the Slovak Republic.
- consultations are possible on an individual basis, depending on the the judge and the expert, the interpreter"
- personal consultation does not take place, experts are asked specific questions

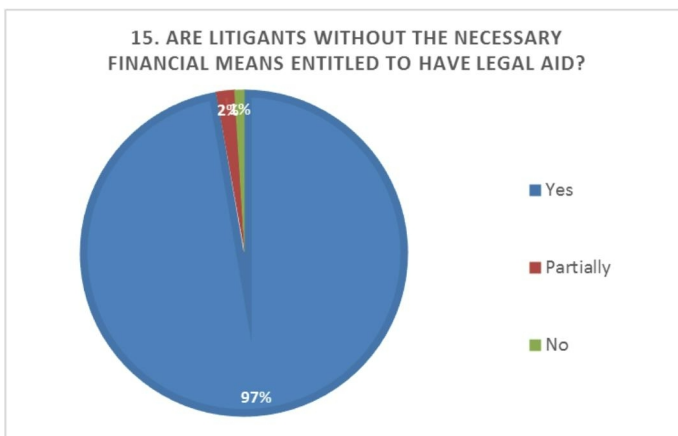
14. Is there a system of quality control for court experts, interpreters?



Comments:

- I do not know, the Ministry of Justice is responsible for that
- supervision is carried out by the Ministry of Justice of the Slovak Republic, the Legal Professions Supervision Department, the courts have the duty to draw an attention to the shortcomings of the interpreters
- such a system would be very beneficial, the reliability of the work of experts and interpreters can only be assessed by the judge based on his past experience with the expert and/or on the basis of the recommendation of his colleagues.
- there is a possibility of fill a complaint, deletion from the list of experts
- I do not know, the quality system probably is not in place

15. Are litigants without the necessary financial means entitled to have legal aid?

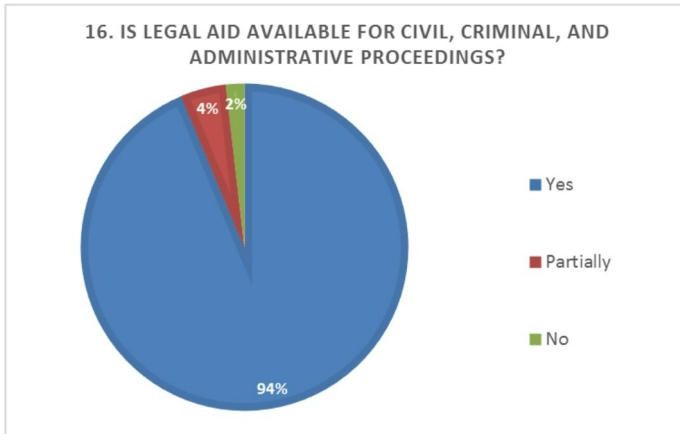


Comments:

- I consider the system a bit clumsy

- in civil matters, legal aid is provided through the Centre for Legal Aid (the court does not decide) subject to the conditions laid down by law and in criminal proceedings, attorney is provided free of charge (the court decides)

16. Is legal aid available for civil, criminal, and administrative proceedings?



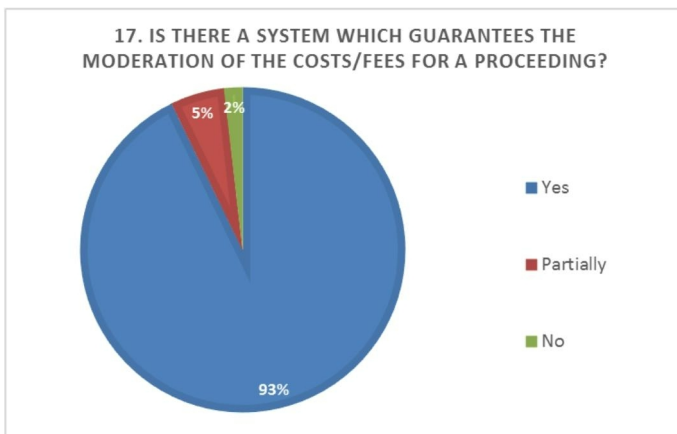
Comments:

- pursuant to Act 327/2005 The Legal Aid Centre provides a legal aid as a state budgetary organization in civil, commercial, labour and family matters, in administrative judiciary (asylum cases and administrative expulsion - in these matters also in the Constitutional Court of the Slovak Republic.

- in criminal proceedings - the obligation to appoint the advocate to an accused (defendant) in cases stipulated by legal provisions (Criminal Code) - e.g. arrests cases, minors and the like

- the timing of the decision on legal aid is adequate

17. Is there a system which guarantees the moderation of the costs/fees for a proceeding?



Comments:

- for electronic communication

- a system of legal exemption from court fees and subsequently the possibility of individual decision on total or partial exemption from the court fee according to the applicant's situation

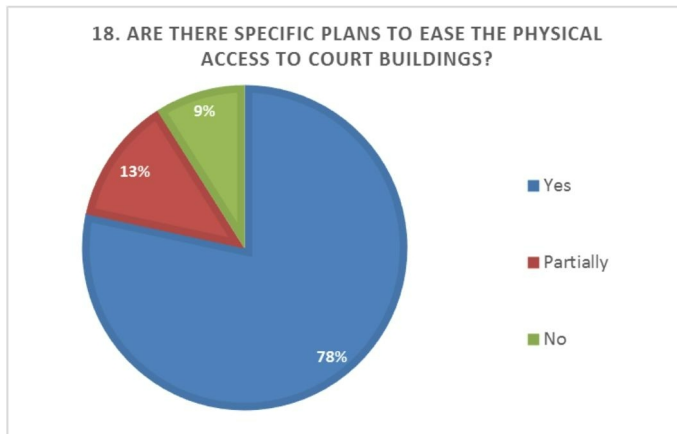
- retreat from the judicial claim enforcement by a judicial treasury

- mediation

- I think the system is being misused.

Access to buildings and facilities

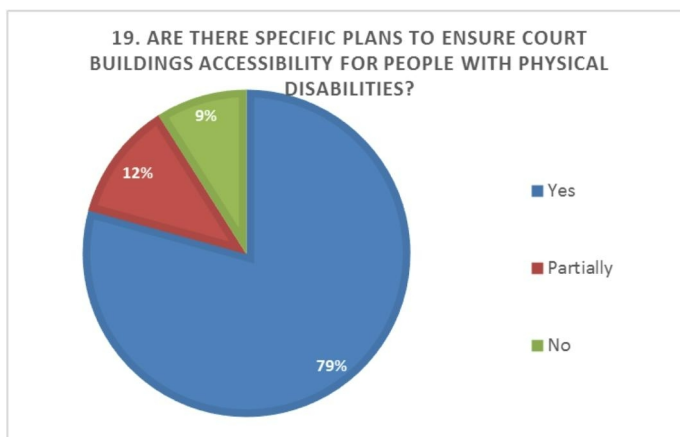
18. Are there specific plans to ease the physical access to court buildings?



Comments:

- barrier-free access to all parts of the courts serving for contact with public is ensured
- there is no barrier-free access to our court, no elevator, funds are lacking
- I do not quite understand the question; the court has a large main entrance, a limited number of parking spaces
- I do not think it would be necessary to facilitate access.

19. Are there specific plans to ensure court buildings accessibility for people with physical disabilities?

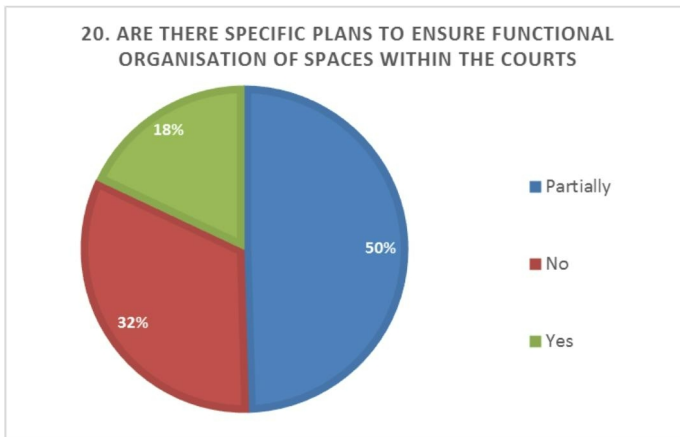


Comments:

- only on plan, not in reality
- the barrier-free access is provided to the ground floor, where meeting rooms and offices for contact with the public are located.
- the co-operation of members of the Prison and Judicial Guards Corps for the Access of persons with physical disabilities

- barrier-free access to the building is secured and within the building it is secured in the form of a platform for immobile people and elevator

20. Are there specific plans to ensure functional organisation of spaces within the courts (ex.: are the waiting and hearing rooms properly equipped; are the waiting rooms organised so that the opposite parties do not have to wait together etc.)?

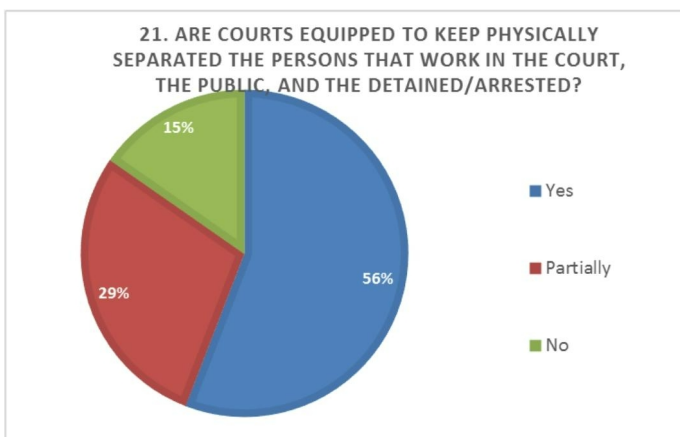


Comments:

- why cannot the counterparties wait together?

- the court rooms are adequately equipped, the waiting rooms represent hallways where a number of benches are located, the spatial separation of counterparties in front of the court rooms is not a standard solution in court buildings. If the parties require separation, the court is able to solve such a request on individual basis in conjunction with court's administration or the judicial guard.

21. Are courts equipped to keep physically separated the persons that work in the court, the public, and the detained/arrested?



Comments:

- usually, courtrooms are accessed from the corridor / waiting room where parties are waiting

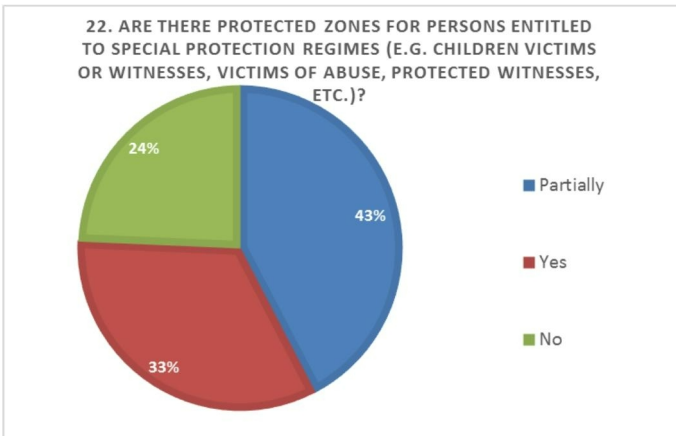
- the court is housed in two interconnected objects. One is for communication with the public (meeting rooms, interrogation room, office, information centre, cash desk) the second is the office space of judges and other staff to which the public has no access.

- the meeting rooms are located on the ground floor, and / or the first floor and the office space are on the upper floors, there is a separate room for the escort of detained persons

- the entry, control and movement of persons in the premises for judges and other court employees is regulated by the organizational measure of the Regional Court President, which is a part of the regional court's work schedule.

- the court does not have sufficient space capacities for judges and employees, so it is a bit problematic

22. Are there protected zones for persons entitled to special protection regimes (e.g. children victims or witnesses, victims of abuse, protected witnesses, etc.)?

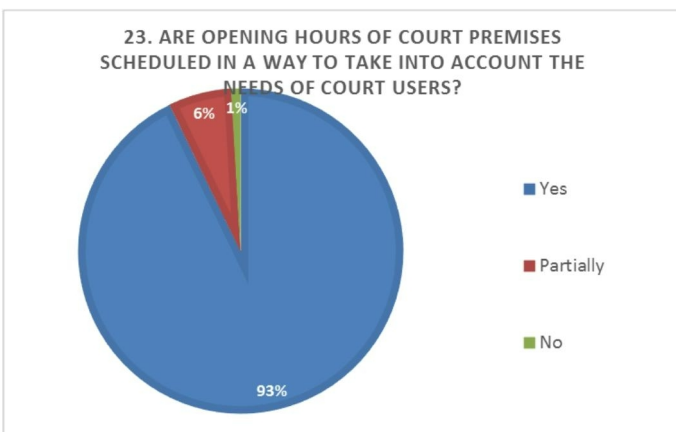


Comments:

- situations are exceptional; they do not require systematic but individual solutions.
- for protected witnesses
- the court building is not adapted to it, if necessary there is a possibility of creating such a space.
- one of the rooms is equipped with children's toys, and in these rooms there is more suitable environment for interrogation of minors
- it cannot be fully secured.
- increased protection and / or comfort is possible by using video conferencing

Treatment of court users

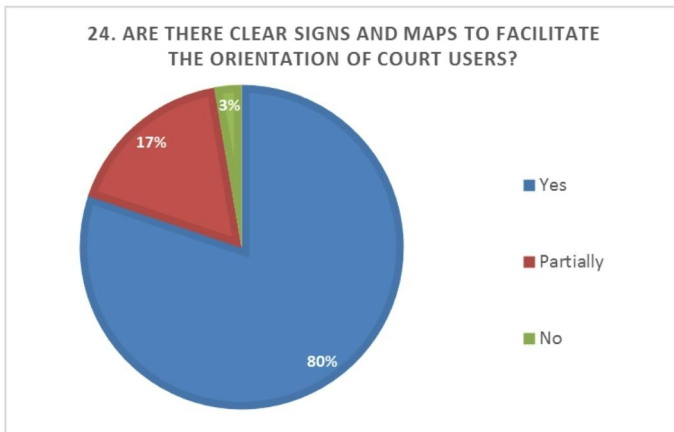
23. Are opening hours of court premises scheduled in a way to take into account the needs of court users?



Comments:

- hard to say.
- the usual "office hours" used in the conditions of the Slovak Republic
- operating hours are published in the court's work schedule, office hours of individual organizational units are stated separately
- limited by the personal and financial options of the court

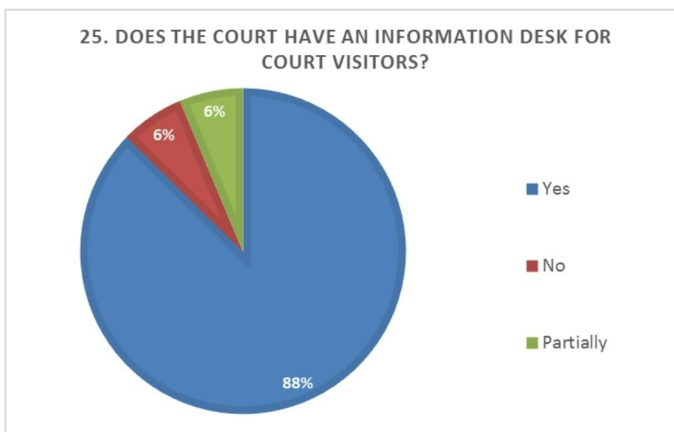
24. Are there clear signs and maps to facilitate the orientation of court users?



Comments:

- the building of the court is not as large so no one can truly get lost in it, whereas the orientation is provided by the judicial guard
- at the web site, there are maps along with the court point
- on the ground floor of the building there is an information board, an orientation board + on the individual floors there are still informative boards

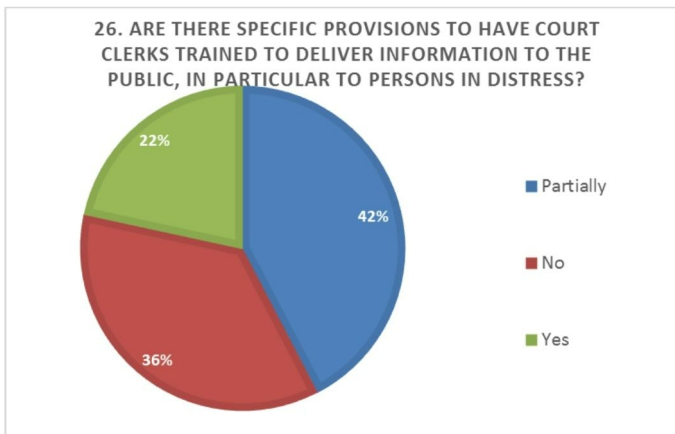
25. Does the court have an information desk for court visitors?



Comments:

- Each court has an information kiosk, partly serving as a registry or a judicial guard
- official court table, court website,

26. Are there specific provisions to have court clerks trained to deliver information to the public, in particular to persons in distress?

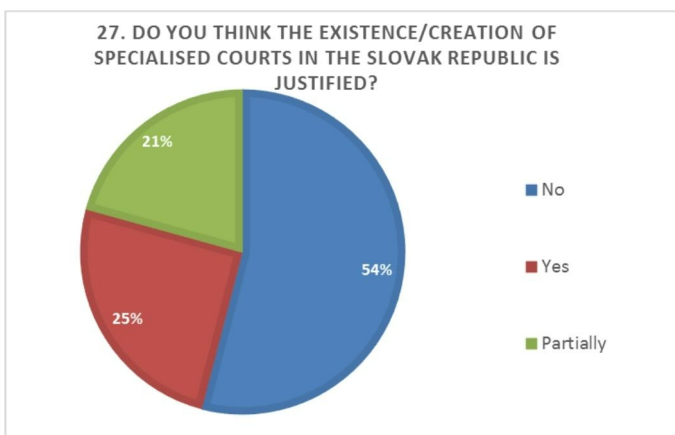


Comments:

- there is an obligation to take part in the training and seminars organized by the Judicial Academy
- the judicial officer is not entrusted with the power to provide legal information to the public. This agenda is provided by the Centre of Legal Aid offices
- I have no information regarding this topic

Specialisation of courts and judges

27. Do you think the existence/creation of specialised courts in the Slovak Republic is justified? If the answer is “Yes” or “Partially”, please include below in comments what type of specialisation of courts you think is necessary



Comments:

- in the Slovak Republic there are 54 district courts and 8 regional courts, the number of both is high, there are unnecessarily many district and regional courts. Several agendas are attached to some of these courts. This is not a systemic solution. In particular, the administrative and commercial law cases should be exempted from the system of general justice. Solution would be to set up specialized commercial and administrative courts and the specialized supreme court. Dealing with labour law disputes is quite comical - we have eight district courts dealing with this agenda.

- criminal, civil, commercial, minor custody, patent, copyright, bankruptcy law, administrative court, specialized criminal court, each specialization increases the quality of decision making

- certain degree the specialization of judges is necessary, it depends on the number of judges and the number of cases

- specialization of administrative judiciary, enforcement actions, commercial matters and commercial register should be concentrated on one court within the entire region, labour-law matters and in particular specialization of regional courts as courts of second instance

- to build and strengthen district courts in the seats of regional cities and specialize them on selected types of main agendas, especially family and labour; to cancel small district courts, we cannot talk about specialization; better to property staff and remunerate courts in the capital and super specialize them on selected agendas so they will have jurisdiction for the entire territory of the Slovak Republic

- the establishment of the Specialized Criminal Court and the Enforcement Court appears would be a good decision; in the future, it is possible to consider establishing a court with the care of minors and the Administrative Court.

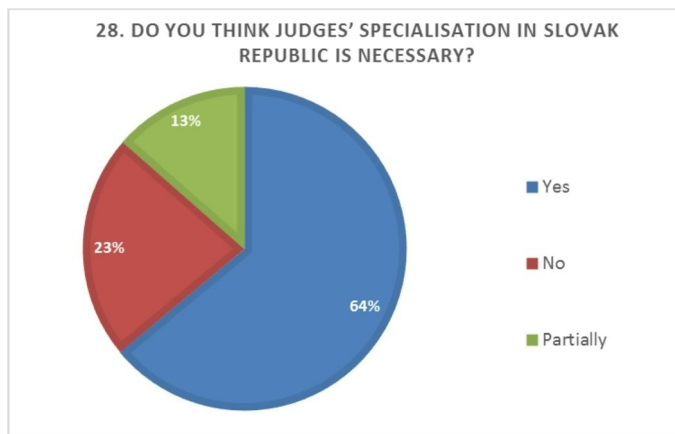
- specialization within a particular court is sufficient; in each court there is specialization in family law, commercial, criminal, etc.

- specialization of judges within individual courts is possible (and necessary)

- a specialized court does not have a place in the system of general justice;

- specialization is effective in a court with a higher number of judges, depending on the type of proceedings (labour, consumer, business disputes, family law agenda, criminal matters, bankruptcy, etc.)

28. Do you think judges' specialisation in Slovak Republic is necessary? If the answer is "Yes" or "Partially", please include below in comments what kind of specialisation you think is appropriate and what should be the level of such specialisation



Comments:

what should be the level of this specialization.

- I can imagine specialization in business (including special, perhaps only eight courts of first instance), administrative (including special, perhaps only four administrative courts) and criminal justice (with a certain reduction in the number of district courts); I am the advocate of specialized family judges; labour judiciary and special labour courts? There are very few cases, maybe three labour courts for the whole of Slovakia are enough.

- Specialization of judges on the civil, administrative, criminal, commercial and custody of minors agenda is essential; specialization in civil law may, exceptionally, overlap in small courts with the business law agenda or the minors' custody agenda and vice versa; It is inappropriate to combine the specialization of

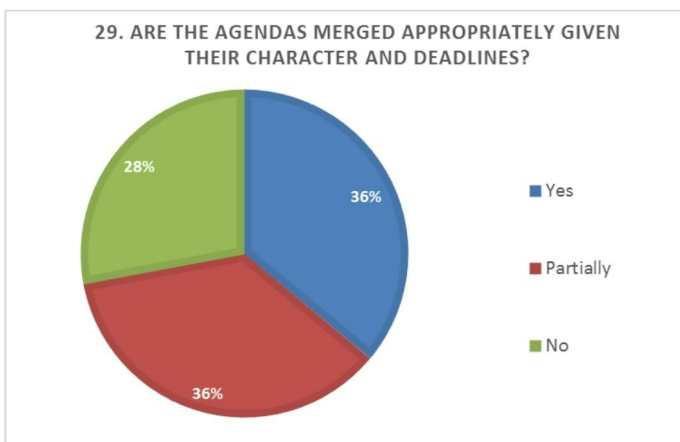
the criminal agenda with the others, as they are diametrically different substantive and procedural codes governing the conduct of these agendas

- specialization is the best tool to ensure the quality of decision-making; the current setting, especially in courts with a number of judges higher than 20, I consider sufficient

- the problem of specialization is in courts with fewer judges, where the judge has to carry out several, and also unrelated agendas (criminal matters, trusteeships); with increasing globalization, electronization, and distraction of distances (there are still general notions that a distance of 20 km is a large distance), then there is a correct question whether small tribunals are needed.

- in civil proceedings it would be specialized in consumer disputes, property disputes, criminal matters - juveniles, economic crime...

29. Are the agendas merged appropriately given their character and deadlines?



Comments:

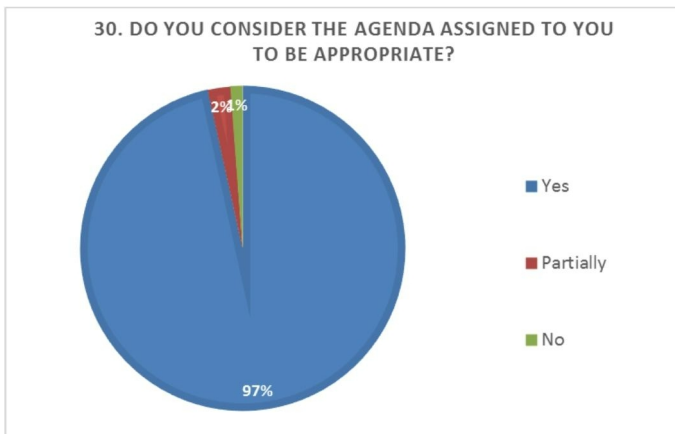
- it's absolutely inappropriate.

- it is not always possible, e.g. since the court is not staffed adequately, several types of agendas, and often adherence to the principle of a legitimate judge prevents it (redistribution of things after the arrival of another judge), and ensuring random assignment

- it is necessary in smaller courts.

- aggregation of the agenda for the individual judge is governed by the work schedule of the court and is different in each court

30. Do you consider the agenda assigned to you to be appropriate? (non-judge respondents shall not answer this question)



Comments:

- I have civil, family, consumer and, in part, a criminal agenda; I do not feel that the participants suffer from the fact that I am not specialized.

- I have been assigned a civil law agenda and at a 20% business law agenda; I do not think it is fitting to combine any agenda, given the different nature; after two years I was only given a civil law agenda with which I am satisfied; the judges of the criminal section are assigned an minor's custody, and everyone considers it to be absolutely inappropriate due to difference in substantive and procedural law regulating these diverse areas.

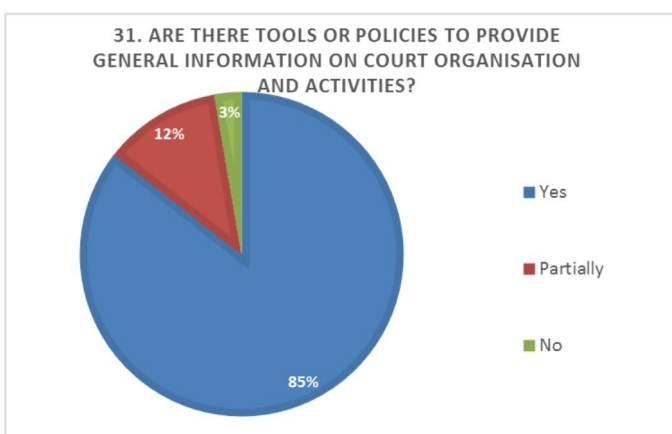
- I was always assigned agenda after prior consultation with the court management

- I find it a problematic that the selection process for a judge does not specify the department of the law to which the judge is admitted; It is often the case that, for example, a senior judicial officer has several years of civil law practice and is assigned to a criminal section

- I do not understand the question - the organization of court work is governed by a work schedule that is published and publicly accessible to everyone, as well as all its changes; the performance of judges and courts is published on the website of the Ministry of Justice of the Slovak Republic

Access to legal and court information

31. Are there tools or policies to provide general information on court organisation and activities?

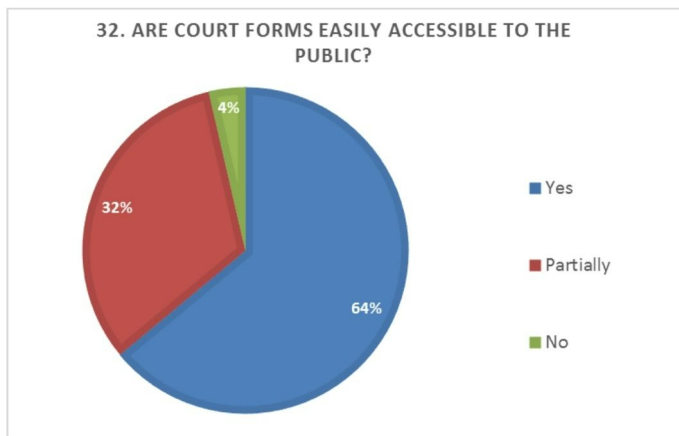


Comments:

- Some data are published:
 - official schedule of working hours
 - anonymous decisions
 - the dates of the hearing

- Publication of Annual Reports of Judges, Provision of Information under the Freedom of Information Act
- Court website, information on the Ministry of Justice website
- Access to information under the Freedom of Information Act, establishment of information centers, access to court files for parties
- I do not understand the question - the organisation of the court work is governed by a schedule of work that is published and publicly accessible to everyone. The performance of judges and courts is published on MS SR
- Legal duty of all courts in Slovakia every year to handle the work plan for the following calendar year. The instrument is general legislation, published on the website of the Ministry of Justice of the Slovak Republic.

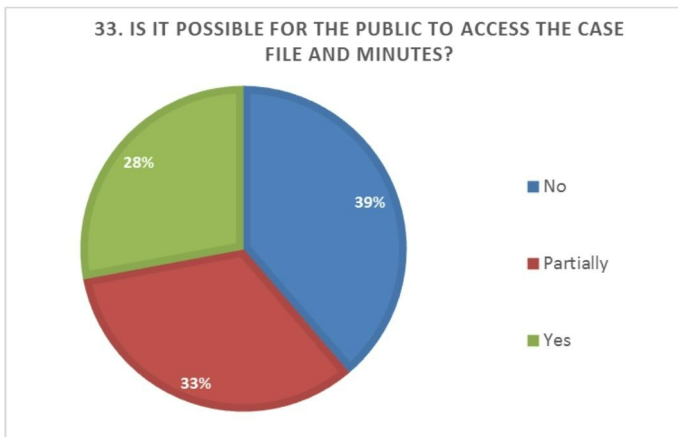
32. Are court forms easily accessible to the public?



Comments:

- Court forms are created by the Ministry of Justice; some of them are really pitiful, e.g. Request for Alimony Determination - 10 pages, Request for Exemption from Court Fees - 12 pages; in principle, I feel that forms are rather harmful to work, not only to the parties but also to the court
- web site is not "user friendly" but with reasonable literacy, the public will find what it is looking for (if it is made available)
- forms are available on two-three clicks on the website of the Ministry of Justice of the Slovak Republic, I think it is sufficient
- I do not know, I have never tried it, nor I have an opinion from people I known, who would use them

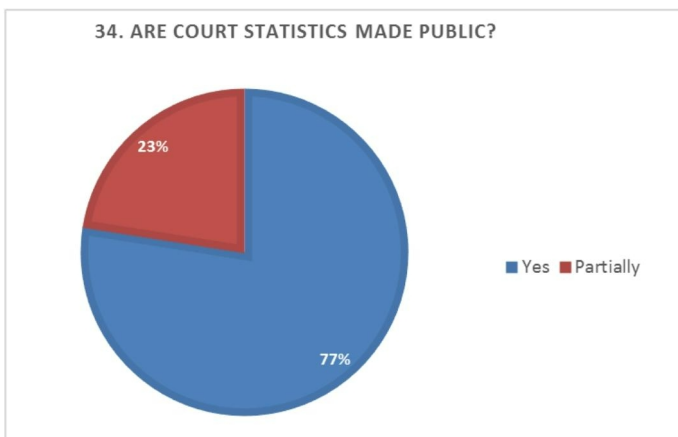
33. Is it possible for the public to access the case file and minutes?



Comments:

- the public has an access to anonymized decisions, only parties to the dispute, persons demonstrating legal interest, or serious and justified reasons have an access to minutes and files
- the public does not have and in my opinion should not have access to files and minutes, it would be necessary to anonymize files, minutes, and other data so that it can not be identified with a particular person.

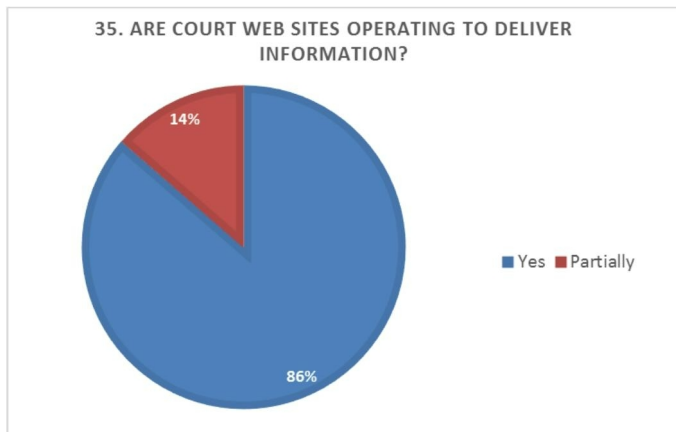
34. Are court statistics made public?



Comments:

- ministerial yes, but more relevant are the statistical outputs that I make as the President of the Court, but I do not publish them; by publishing I would basically admit that I cannot manage the court.
- the statistical yearbook on court activities, judges' assessments is published

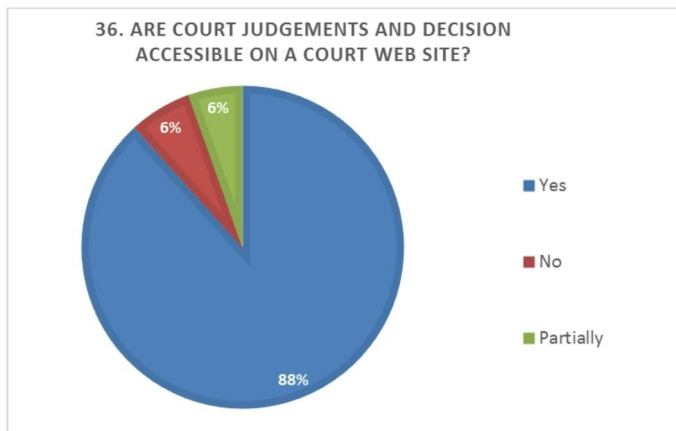
35. Are court web sites operating to deliver information?



Comments:

- I personally feel the need for the sections to be arranged in better way
- Notifications are not always clear and identifiable; the list of thumbnails is often unavailable, and it is necessary to view the individually published announcements of which there is a large number
- courts do not actually have websites; the web domain is managed by the Ministry of Justice, as well as the whole court of informatics!!!

36. Are court judgements and decision accessible on a court web site?

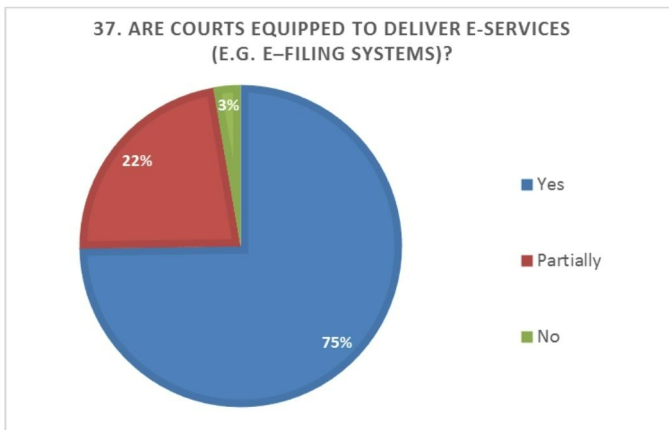


Comments:

- on the Ministry's website; we publish almost everything, which makes it difficult for the user to orient in it well.
- the law clearly determines which categories of decision are published in anonymized form
- limited by insufficient staffing of the courts

All courts have a statutory duty to publish their decisions on the Ministry of Justice of the Slovak Republic web page.

37. Are courts equipped to deliver e-Services (e.g. e-filing systems)?



Comments:

- the process is in progress, especially judicial electronic activities are badly set; the status is slowly improving.

- technically the courts are prepared, personally not, the tasks related to electronic services are outsourced to the employees of the court over and above their usual duties, thereby exerting excessive burdens on them.

- there is currently a massive reform affecting the development of electronic services of the judiciary, RESS

- to an insufficient extent; the Ministry for electronic services provided the court with one scanner (insufficient number for 35 employees), and no single employee was assigned to perform duties arising from electronization (sending documents to electronic mailboxes, scanning, creation of electronic court files); trainings and specialized preparation of employees by the Ministry of justice, and / or by the judicial academy is at an inadequate level

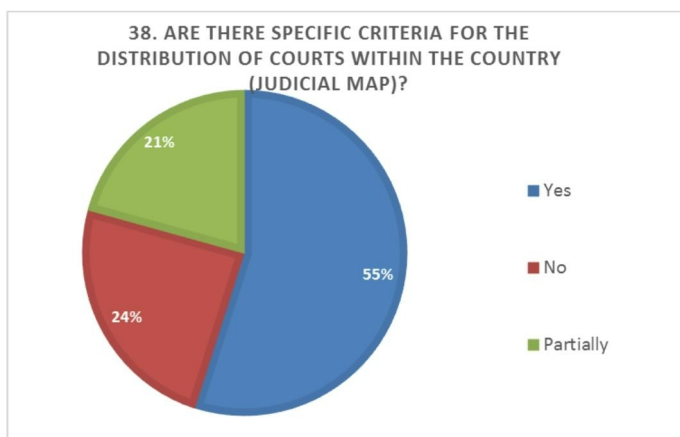
- fundamentally yes, but all the technical problems associated with the e-Government implementation have not yet been eliminated; administrative extremely demanding is the scanning of written submissions into electronic form

- electronization is being introduced, we have e-appeals, we have an electronic judicial file, electronic registry, electronic access for the public, quite a lot of things are unsettled, for example, there are still problems in looking at the electronic court file (according to the IT consultants we have 10 times to test one participant until it is verified and on the second day it works and then not again), electronization is more time-consuming for the court's administrative staff, there are technical problems, trainings for electronization are inadequate, new versions of the computer program (Register) are still being introduced, only the practice will show what they contained; little cooperation of judges on electronization.

- electronic delivery - constant problems, reports of malfunction

Court organisation

38. Are there specific criteria for the distribution of courts within the country (judicial map)?



Comments:

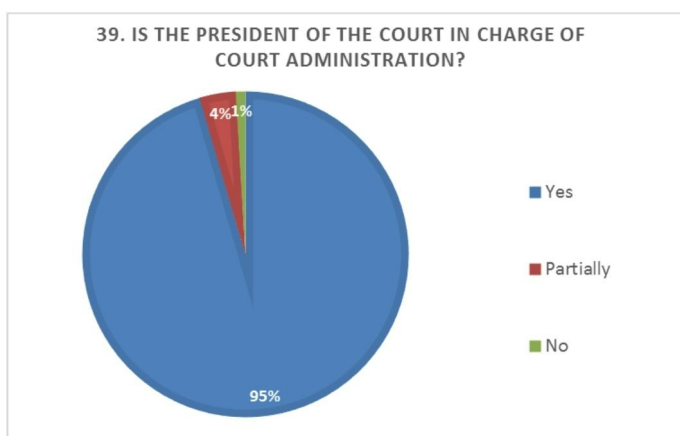
- I do not know what to understand under the court map; it is not a problem for the participant to find the appropriate court.

- historically, according to the territorial map of the settlement

- courts, their headquarters and districts are determined by law, usually they copy the organization of the state administration

- the composition and difficulty of the case, nor the disputes character is taken into account - specialization of participants, lawyers; vacant position of judges are allocated by the Ministry on the basis of a decree, the criteria are the same for all courts irrespective of their territorial location, size and importance.

39. Is the president of the court in charge of court administration?

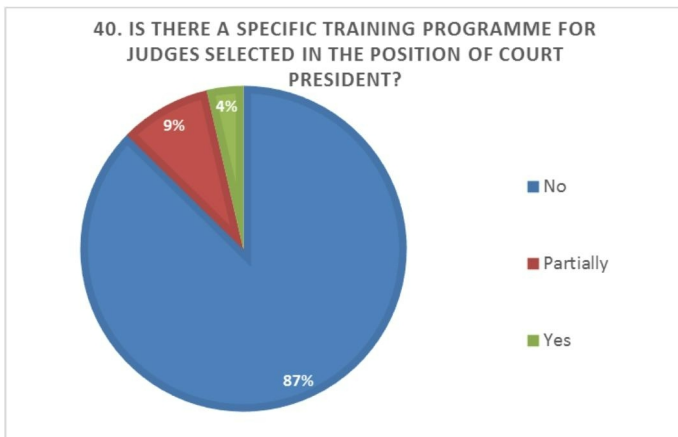


Comments:

- the President of the Court, as a statutory person, is liable to the extent resulting from Section 74 of Act 757/2004 on Courts, this should not be the case, the court administration office should be established

- Director's administration has also co-responsibility

40. Is there a specific training programme for judges selected in the position of court president?

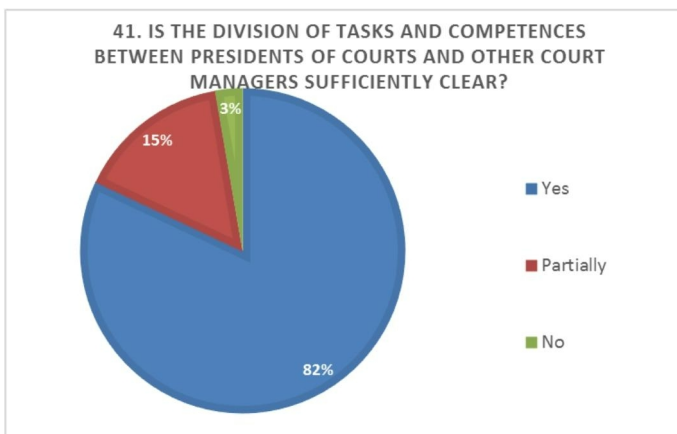


Comments:

- I do not even miss it; I miss a better central administration of the judiciary, none of the administrations of the Ministry of Justice in the past 10 years has impressed me; the ministry does not listen to the courts, the courts do not listen to the ministry.

- I cannot make a qualified statement, I assume no, it is a big mistake

41. Is the division of tasks and competences between presidents of courts and other court managers sufficiently clear?



Comments:

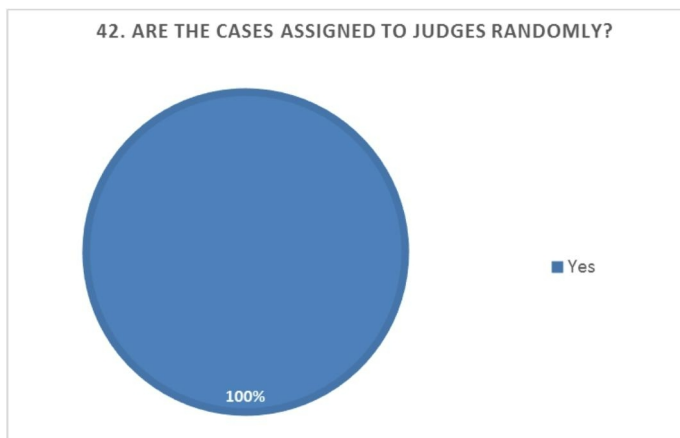
- relation of the President of the Court, the Vice-presidents of the Court and the Director of the Court Administration; the Head of the Service Office is the President of the Court, while it is customary that the Director of the Court Administration is being responsible for the employment relations of employees (judicial officers other than judges)

- in the Act on Courts (Section 39(I) Act 757/2004) only as a framework, namely the division of tasks and competencies, regulates the work schedule of the court

- Responsibility of the President of the Court for the economic and personal agenda is not entirely clear

Case management

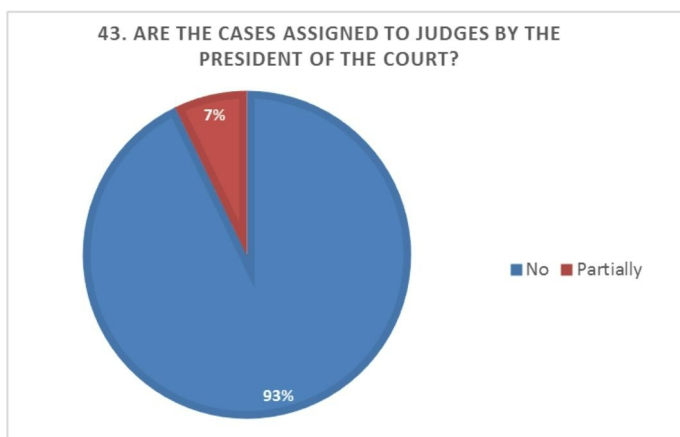
42. Are the cases assigned to judges randomly?



Comments:

- cases are assigned by an electronic registry by random selection between at least two judges in the scope resulting from Section 51 of Act 757/2004 on Courts, exceptions from random selection are defined in the Act on Courts and in the work schedule of the court (for example, criminal arrest warrants, detentions); it is a system that is being followed

43. Are the cases assigned to judges by the president of the court?



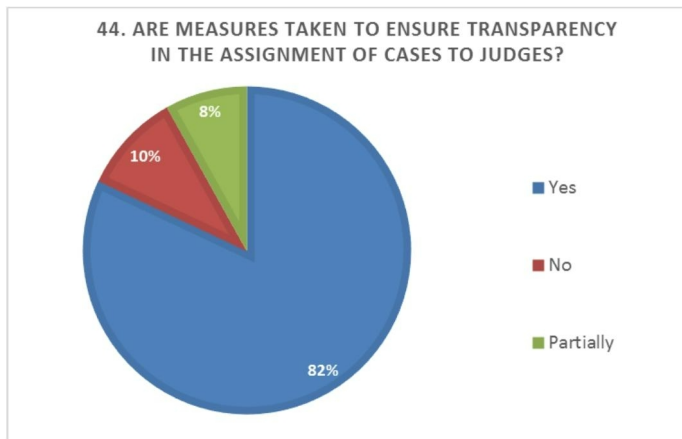
Comments:

- only if the judge is excluded from the hearing and the decision of the case on the grounds of bias, and / or if it is necessary to redistribute already assigned cases under Section 51 of the Act on Courts and in accordance with the work schedule

- the President may decide to exclude the judge due to his bias, but he is not able to determine the particular judge who takes over the case, rather the random assignment is used

- in the case of non-functioning of the electronic register, the random assignment is always secured to a minimum of two judges on the basis of the work schedule, without the involvement to the President of the Court

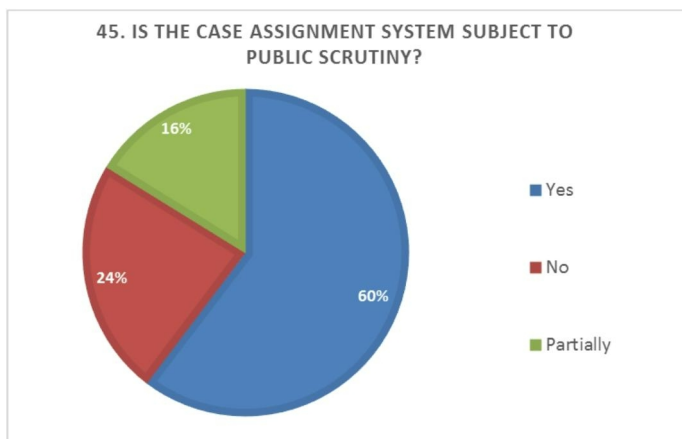
44. Are measures taken to ensure transparency in the assignment of cases to judges?



Comments:

- the system is transparently configured, the allocation is secured by the computer application algorithm without the possibility of interfering with this method
- exceptions to random selection result from Section 51 of the Act on Courts, the Rules of Procedure and the work schedule

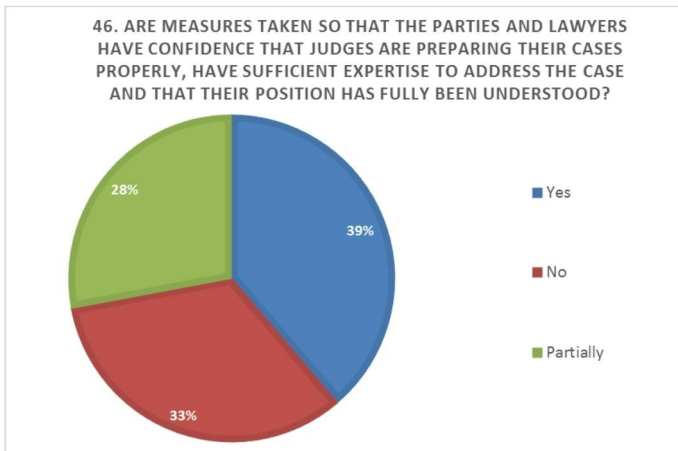
45. Is the case assignment system subject to public scrutiny?



Comments:

- control is exercised by the President of the Court, the Ministry of Justice of the SR, which has approved the technical and programme means by which the random selection is carried out.
- the work schedule is open to the public; in addition: "The record of the assignment of the case must be such as to ensure that any person having a legal interest in the case may, through the looking into the file and the evidence, examine the assignment of the matter to the lawful judge" - Section 51(9) of Act 757/2004
- any individual party filing a lawsuit is informed about the manner in which the case is assigned by receiving certificate stating to which court the case was assigned to be solved.

46. Are measures taken so that the parties and lawyers have confidence that judges are preparing their cases properly, have sufficient expertise to address the case and that their position has fully been understood?

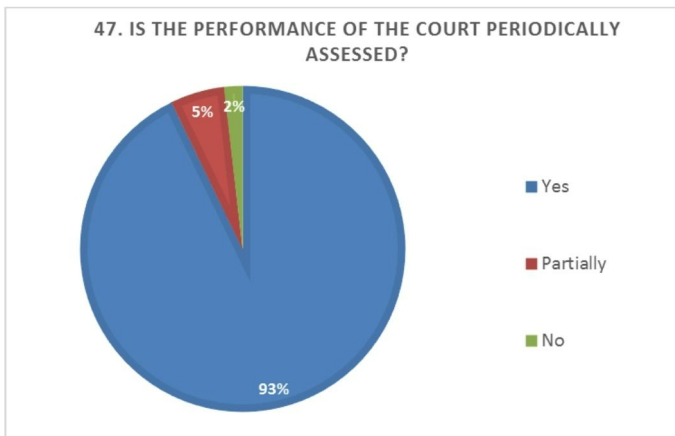


Comments:

- it is up to each judge to convince the party about the correctness and expertise
- expertise and knowledge are assessed through judicial examination, selection procedure, quality of decision-making activity assessed by superior courts, panels, as well as revisions and regular judges' assessments
- the obligations of the judge in court proceedings (preparation of hearings, communication with parties, rules governing the judicial process, issuing court decisions, qualitative requirements for court decisions, etc.) are regulated by procedural codes; the adoption of (non-specified) measures in this respect is unfounded; the judge is responsible for deepening his professional knowledge - his legal duty under the Law on Judges; the quality of the judicial performance of every single judge is subject to its assessment at regular intervals.
- special measures are not taken in these cases; judges with specialized apparatus (in particular senior judicial officers) prepare a case for hearing and ruling under the applicable law (Civil Dispute Settlement); The adoption of measures to ensure the sense of parties and / or their representatives on the professional competence of the judge to decide the case is infeasible by the management of the court as judges demonstrate their expertise in a professional judicial examination and subsequently in the selection procedure for a judge's place; in the case when it is proved that the judge has insufficient professional competence in the performance of the judge's duties, such cases can be solved individually in disciplinary proceedings, and / or in the regular assessment of the judge, with an eventual impact on the duration of the judge's function.

Performance evaluation

47. Is the performance of the court periodically assessed?



Comments:

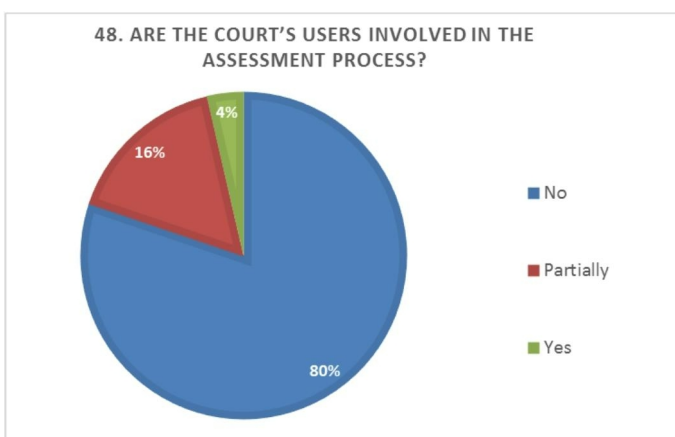
- in view of the inconsistency of the methodology in the production of judicial statistical information, it is, in my opinion a comparison of individual courts, judges, agendas and the like only illusory; there is always an assessment criterion that meets the requirement for the outcome of the evaluation

- The President of the Court regularly evaluates the performance of judges, and a report on the performance of judges is submitted monthly to the Supreme Court and the Ministry of Justice of the Slovak Republic.

- a large amount of statistics are produced; their preparation necessitates significant administrative body, it would be desirable if relevant data were extracted in an automated manner from a computer application

- feedback provided to the courts assessing their real caseload as well as containing proposals regarding insufficient number of judges and other professional personal is missing

48. Are the court's users involved in the assessment process?

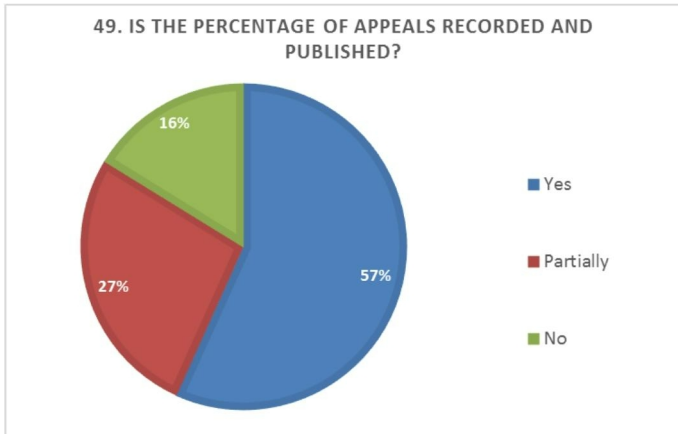


Comments:

- they do not have a chance to influence the official evaluation, but I saw private websites where the individual judges were rated by the private person, most often anonymously

- recently, participants published on social media recordings from hearings, vulgarly express themselves and despise the work of judges
- it is not clear how they should be involved
- participants can influence the outcome of the court's assessment through complaints, appeals, etc.

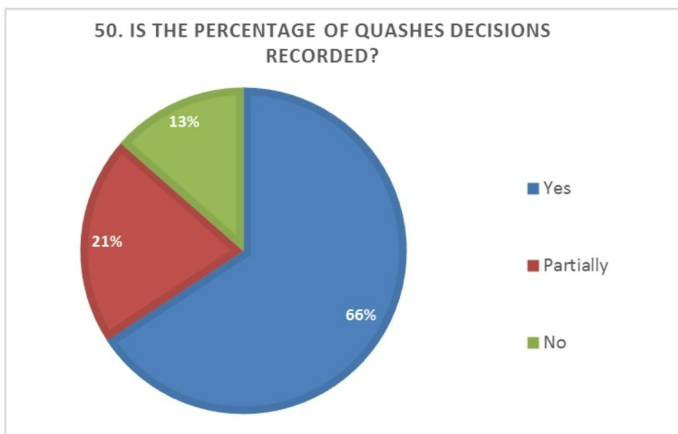
49. Is the percentage of appeals recorded and published?



Comments:

- in the statistics, this data is available, e.g. annual statistical report of the judge
- the regional court evaluates the number of appeals, data on the proportion of successful and unsuccessful appeals (cancelled, amended and confirmed by the district courts) in the periodic evaluation of the appeal procedure outcome; these data serve the internal need of the courts

50. Is the percentage of quashes decisions recorded?



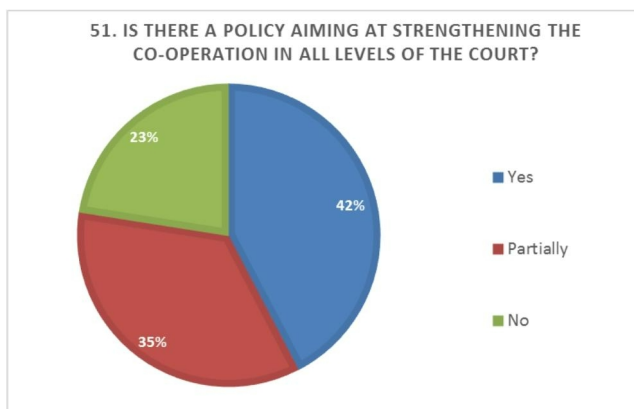
Comments:

- this data is available in the statistics
- rather, one should look at the reasons why a fairly large number of appeals ends with cancellations; the Slovak judiciary has a high ratio of cancelled decisions, which is caused not by a material solution of dispute, but because appellate courts are paying too much attention to formal elements.
- the cases in which the rejection was dismissed are also among the cases that have been closed; only the matters in respect of which the Court of Appeal has ruled to confirm the decision are to be accepted

- for example in minor changes (question of maturity, minor numerical error), the case is considered altered, although the decision was actually confirmed; also, if the amount of payment depended on the court's reasoning and, the court of appeal will change the amount of performance to a minimum extent (e.g. up to 10% of the value), the case is considered also altered if, for example, the first instance court upheld the action and the appeal court changed the judgement by dismissing the action; the change of the decision does not distinguish the absolute reason, the extent of the change and the like, similarly with several verdicts in one case, only the whole case is taken into consideration. However, the cancellation of some parts of such case caused by the change in circumstances or by the withdrawal of the action and the like are not taken into consideration.

Training and knowledge sharing

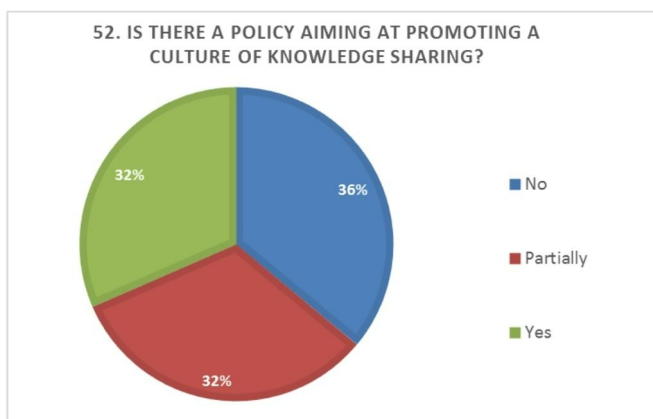
51. Is there a policy aiming at strengthening the co-operation in all levels of the court?



Comments:

- it is not a question of a policy; we are a team and we cooperate naturally
- in the form of the participation of district court judges at selected meetings of the regional court colleges, occasional team - building activities.
- in particular through the organization of expert seminars of judges from the first and second instance courts, attended by judges of the Supreme Court.
- court management and court administration perform regular and ad hoc meetings and meetings with staff and judges.

52. Is there a policy aiming at promoting a culture of knowledge sharing?



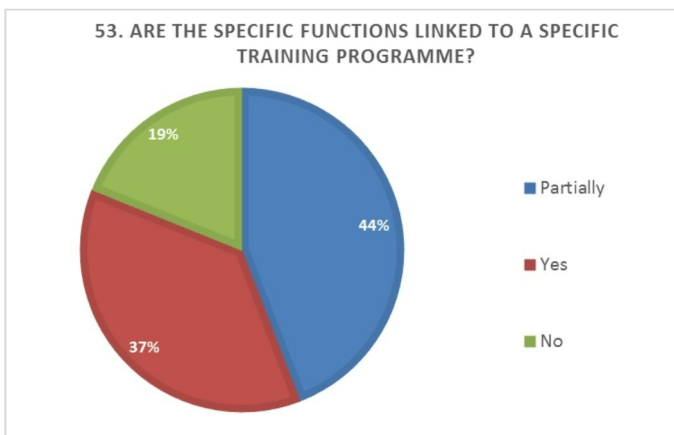
Comments:

- it is based on the informal cooperation of colleagues

- the findings of the court's decision-making activities are disseminated in several forms: publication of all judicial redundancies at the web site of the Ministry of Justice of the SR, publication of the opinions of the Supreme Court of the Slovak Republic and decision of the courts in the departmental collection of decisions, seminars

- I do not understand the notion of sharing culture

53. Are the specific functions linked to a specific training programme?

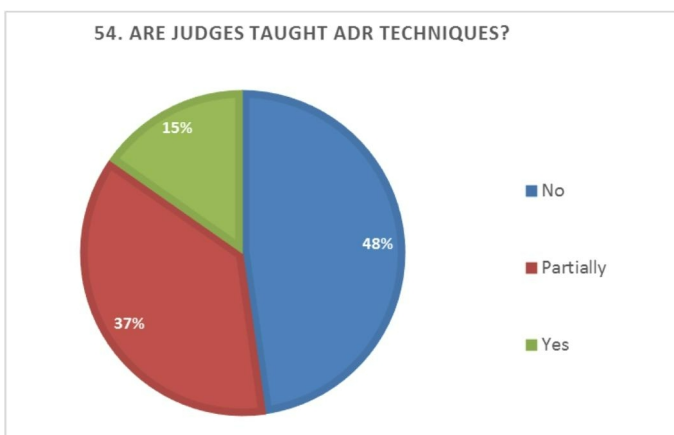


Comments:

- there are trainings organized by the Judicial Academy only for judges, and / or court officials, administration staff, and so on

- the educational activities of the College of the Supreme Court of the Slovak Republic, regional courts and the Judicial Academy are oriented to individual types of judicial agents.

54. Are judges taught ADR techniques?



Comments:

- the technique can be best taught in the meeting room.

- through training organized by the Judicial Academy

- reconciliation proceedings are only subject to the judge's instinctive skills, we have not received training in this respect.

- in the context of educational activities (e.g. in the civil disputes procedure in the preliminary dispute settlement, the court should try to resolve the dispute by conciliation or recommend the parties to resolve the dispute through mediation, to apply so-called deviations in criminal proceedings, etc.).

- targeted and regular training activities are not implemented in this area, however, judges are individually concerned with the acquisition of these methods of dispute resolution

- There is also the possibility of participating in mediation training

- In the long term, I consider the support of alternative dispute resolution to be one of the most effective means of reducing litigation rates in Slovakia as well as reducing the length of many court proceedings